

STATE OF CALIFORNIA



## MEMO

**To : EXECUTIVE COMMITTEE  
RAMON ALVAREZ C., CHAIR  
KATHRYN DOI, MEMBER**

**Date: July 30, 2018**

**From : TIMOTHY M. CORCORAN**

**Subject: DISCUSSION AND CONSIDERATION OF THE BOARD'S LEGISLATIVE  
POLICY**

At the April 20, 1996, General Meeting, the Board adopted the following Legislative Policy:

The Board will participate in industry discussion of legislation if requested, but will not take a formal position on any particular bill. This will ensure that the Board explains its operations and helps the parties better understand what the fiscal and operational ramifications, if any, will be.

In practice, it was intended that the Board's position on legislation be that of the Administration, given its placement within the Executive branch. It was also intended that if Agency requested the Board's recommendations, it would provide any such recommendations to it. However, the Board's analysis of pending legislation has evolved such that it now provides its analysis to the Department of Motor Vehicles, who then provides an analysis to Agency, with the expectation that the Board's staff's analysis is included. However, given the layers of communication and potential complexity of some bills, it is important that there be transparency and directness when conveying the Board's analysis to Agency. Because the Board and the Department have entirely separate concerns and operating procedures, it would be more efficient and effective for the Board to provide its own analysis directly to Agency.

In addition, the Board's current policy does not afford the Board the ability to thoughtfully, proactively, and publically examine legislation affecting the Board and its stakeholders. Under current policy, the Board cannot take a position on any particular bill, including legislation that might seek to significantly expand or diminish the authority, jurisdiction, or powers of the Board. Further, under this policy the public may be deprived the benefit of the Board members' joint insight into legislation they are uniquely qualified to provide.

This matter is being agendized for the August 13, 2018, General Meeting. Board staff are recommending that the Policy and Procedure Committee and Board staff review this policy and return to the Board with proposed policy revisions for consideration.

If you have any questions concerning this matter, please contact me at (916) 324-6197.